



General Assembly

***Substitute Bill No. 5046***

*February Session, 2002*

**AN ACT CONCERNING FEES FOR THE DEPARTMENT OF  
ENVIRONMENTAL PROTECTION'S BUREAU OF NATURAL  
RESOURCES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 26-28 of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective January 1, 2003*):

3       (a) Except as provided in subsection (b), the fees for firearms  
4       hunting, archery hunting, trapping and sport fishing licenses or for the  
5       combination thereof shall be as follows: (1) Resident firearms hunting  
6       license, [ten] fourteen dollars; (2) resident fishing license, [fifteen]  
7       twenty dollars; (3) resident combination license to firearms hunt and  
8       fish, [twenty-one] twenty-eight dollars; (4) resident trapping license,  
9       [twenty] twenty-five dollars; (5) resident junior trapping license for  
10      persons under sixteen years of age, three dollars; (6) junior firearms  
11      hunting license, three dollars; (7) persons sixty-five years of age and  
12      over who have been residents of this state for not less than one year  
13      and who meet the requirements of subsection (b) of section 26-31 may  
14      be issued a lifetime license to firearms hunt or to fish or combination  
15      license to fish and firearms hunt or a license to trap without fee; (8)  
16      nonresident firearms hunting license, [forty-two] sixty-seven dollars;  
17      (9) nonresident fishing license, [twenty-five] forty dollars; (10)  
18      nonresident fishing license for a period of three consecutive days,  
19      [eight] sixteen dollars; (11) nonresident combination license to firearms

20 hunt and fish, [fifty-five] eighty-eight dollars, and (12) nonresident  
21 trapping license, two hundred dollars. The issuing agency shall  
22 indicate on a combination license the specific purpose for which such  
23 license is issued. The town clerk shall retain a recording fee of one  
24 dollar for each license issued by him.

25 (b) Any nonresident residing in one of the New England states or  
26 the state of New York may procure a license to hunt or to fish or to  
27 hunt and fish for the same fee or fees as a resident of this state if he is a  
28 resident of a state the laws of which allow the same privilege to  
29 residents of this state.

30 Sec. 2. Section 26-37 of the general statutes is repealed and the  
31 following is substituted in lieu thereof (*Effective January 1, 2003*):

32 The commissioner, upon written application and the payment of a  
33 fee of [five] seven dollars, shall issue to any person licensed to hunt, to  
34 hunt and trap or fish, or the combination thereof, a duplicate license  
35 when he is satisfied that the original license of such person has been  
36 lost, destroyed or mutilated beyond recognition. No such application  
37 form shall contain any material false statement. All such application  
38 forms shall have printed thereon, "I declare under the penalties of false  
39 statement that the statements herein made by me are true and correct."  
40 Any person who makes any material false statement on such  
41 application form shall be guilty of false statement and shall be subject  
42 to the penalties provided for false statement and such offense shall be  
43 deemed to have been committed in the town of residence of the  
44 applicant, except that in the case of applications received from  
45 nonresidents such offense shall be deemed to have been committed in  
46 the town in which such application is presented or received for  
47 processing. The town clerk certifying such application form shall  
48 receive from the total fee herein specified the sum of one dollar.

49 Sec. 3. Section 26-39 of the general statutes is repealed and the  
50 following is substituted in lieu thereof (*Effective January 1, 2003*):

51 Any hunting organization or individual owning and using for

52 hunting an organized pack of ten or more hounds or beagles may hunt  
53 foxes or rabbits for sport during the open season provided therefor,  
54 provided such organization or individual shall be licensed to do so.  
55 The commissioner may issue such license upon application and the  
56 payment of an annual fee of [twenty-five] thirty-five dollars. Persons  
57 participating in hunting conducted with an organized pack of hounds  
58 under such a license shall not be required to have a hunting license. No  
59 participant in such hunt shall carry firearms.

60 Sec. 4. Section 26-40 of the general statutes is repealed and the  
61 following is substituted in lieu thereof (*Effective January 1, 2003*):

62 No person, association or corporation shall possess more than one  
63 live specimen of, breed or propagate any wild game bird or wild game  
64 quadruped of the following species without a game breeder's license  
65 as provided herein: In the family Anatidae, all ducks, geese and swans;  
66 in the family Phasianidae, all quail, partridge and the following strains  
67 of pheasant: Blackneck, Chinese, English, Formosan, melanistic mutant  
68 and Mongolian or any cross-breeding thereof and for the purpose of  
69 section 22-327 all other members of this family shall be classed as  
70 domestic fowls; in the family Tetranoidae, the ruffed grouse; in the  
71 family Melegrididae, turkeys except domestic strains; in the family  
72 Cervidae, the sika and white tail deer; in the family Procyonidae, the  
73 raccoon; in the family Mustelidae, the otter; in the family Castoridae,  
74 the beaver; and in the family Leporidae, all species except domestic  
75 strains. The commissioner, upon written application and the payment  
76 of a fee of [fifteen] twenty-one dollars, may license any person,  
77 association or corporation to possess, breed, propagate and sell any  
78 birds or mammals specified in this section. Such license shall be annual  
79 and nontransferable and shall expire on the thirty-first day of  
80 December after its issuance. The commissioner may adopt regulations  
81 concerning the granting of such licenses and the sale, propagation and  
82 transportation of birds or mammals specified in this section  
83 propagated and possessed by any such licensee. All applications for  
84 such licenses shall be upon blanks prepared and furnished by the  
85 commissioner. Any person, association or corporation, licensed under

86 the provisions of this section, shall keep a record of all birds or  
87 mammals specified in this section which are sold, transported or  
88 propagated by such licensee, whether the same are sold dead or alive,  
89 and shall report to the commissioner not later than the January thirty-  
90 first of the year following the expiration of the license period. Such  
91 report shall contain the number of birds and mammals procured,  
92 possessed and propagated and the name of each person to whom any  
93 such sale has been made and the date of such sale or transportation.  
94 Each package containing birds or mammals specified in this section, or  
95 any part thereof, so propagated or possessed and offered for  
96 transportation shall be plainly labeled with the name and license  
97 number of the licensee offering the same for transportation, the name  
98 of the consignee and a statement of the contents of such package. Any  
99 license granted under the provisions of this section may be revoked by  
100 the commissioner. No person, association or corporation may breed,  
101 propagate or sell any skunk or raccoon, except that such animals, with  
102 the approval of the commissioner may be kept in a zoo, nature center,  
103 museum, laboratory or research facility maintained by a scientific or  
104 educational institution. In no instance shall such animals be accessible  
105 to handling by the general public. No person may possess any skunk  
106 purchased in any Connecticut retail establishment after May 1, 1979, or  
107 any raccoon purchased after October 1, 1985. Any person, association  
108 or corporation which violates any provision of this section or any  
109 regulation issued by the commissioner pursuant thereto shall be fined  
110 not more than ninety dollars for each offense.

111 Sec. 5. Section 26-42 of the general statutes is repealed and the  
112 following is substituted in lieu thereof (*Effective January 1, 2003*):

113 (a) No person shall engage in the business of buying raw furs  
114 produced in this state without obtaining a license from the  
115 commissioner. Such license shall be nontransferable and shall expire  
116 on June thirtieth next succeeding its issuance. Any license issued in  
117 accordance with the provisions of this section may be revoked for  
118 failure of the licensee to report the activities engaged in under the  
119 license to the commissioner. Activities shall be reported in a manner

120 and at a time specified by the commissioner. Any conservation officer,  
121 special conservation officer or recreation officer may examine and  
122 inspect any premises used by or records maintained by any person  
123 pursuant to a license issued under this section. Notwithstanding any  
124 provision of section 1-210 to the contrary, no person shall obtain,  
125 attempt to obtain or release to any person or government agency any  
126 identifiable individual record of, or information derived from, any  
127 report submitted in accordance with the provisions of this section or  
128 submitted voluntarily upon request of the commissioner without the  
129 consent of the person making the report, except that the commissioner  
130 may authorize the release of such information for the purposes of  
131 wildlife research, management or development. The fees for such  
132 licenses shall be as follows: For each nonresident, or resident, [thirty]  
133 forty-two dollars, and for each authorized agent of a licensed resident  
134 fur buyer, [twenty] twenty-eight dollars.

135 (b) The commissioner may adopt regulations in accordance with the  
136 provisions of chapter 54 concerning the buying and selling of raw furs.  
137 Such regulations may establish (1) procedures for recording and  
138 reporting transactions involving raw furs, and (2) tagging  
139 requirements for buying and selling raw furs.

140 (c) Any person who violates any provision of this section shall be  
141 fined not less than one hundred dollars nor more than two hundred  
142 fifty dollars or imprisoned not more than ten days or be both fined and  
143 imprisoned.

144 Sec. 6. Section 26-45 of the general statutes is repealed and the  
145 following is substituted in lieu thereof (*Effective January 1, 2003*):

146 No person shall possess for the purpose of sale, sell or offer for sale  
147 any bait species without first obtaining a bait dealer's license from the  
148 commissioner, provided the provisions hereof shall not apply to  
149 persons issued a commercial hatchery license under section 26-149.  
150 Application forms for such license shall be furnished by the  
151 commissioner. Such license shall be nontransferable. The fee for each

such license shall be [twenty] fifty dollars annually. Each such license shall expire on the last day of December next after issuance. Each such licensed bait dealer may possess and sell only such bait species as shall be authorized under regulations issued by the commissioner, provided live carp and goldfish shall not be possessed for any purpose on premises used by licensed bait dealers. Each such licensee shall keep such records relating to the operation of such business as the commissioner determines on forms furnished by the commissioner and shall file such report with the commissioner within thirty days after the expiration of such license. No such report shall contain any material false statement. Failure to file such report shall be a violation of this section and the commissioner may refuse to reissue such license until the licensee complies with this requirement. Representatives of the commissioner may enter upon the premises of bait dealers at any time to inspect required records and the bait species possessed and to detect violations of this section and regulations issued hereunder by the commissioner, and such representatives may confiscate and dispose of any fish illegally possessed. Any person who violates any provision of this section or any such regulation issued by the commissioner shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned not more than thirty days or both.

Sec. 7. Section 26-47 of the general statutes, as amended by section 1 of public act 01-204 and section 73 of public act 01-9 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(a) When it is shown to the satisfaction of the commissioner that wildlife is causing unreasonable damage to agricultural crops during the night and it is found by the commissioner that control of such damage by wildlife is impracticable during the daylight hours, the commissioner may issue permits for the taking of such wildlife as the commissioner deems necessary to control such damage by such method as the commissioner determines, including the use of lights, during the period between sunset and sunrise, upon written

186 application of the owner or lessee of record of the land on which such  
187 crops are grown. Such permits may be issued to any qualified person  
188 designated by such landowner or lessee. The person to whom such  
189 permit is issued shall be held responsible for complying with the  
190 conditions under which such permit is issued. The provisions of this  
191 section shall not apply to deer.

192 (b) (1) No person shall engage in the business of controlling  
193 nuisance wildlife, other than rats or mice, without obtaining a license  
194 from the commissioner. Such license shall be valid for a period of two  
195 years and may be renewed in accordance with a schedule established  
196 by the commissioner. The fee for such license shall be [one] two  
197 hundred dollars. The controlling of nuisance wildlife at the direction of  
198 the commissioner shall not constitute engaging in the business of  
199 controlling nuisance wildlife for the purposes of this section. No  
200 person shall be licensed under this subsection unless the person: (A)  
201 Provides evidence, satisfactory to the commissioner, that the person  
202 has completed training which included instruction in site evaluation,  
203 methods of nonlethal and approved lethal resolution of common  
204 nuisance wildlife problems, techniques to prevent reoccurrence of such  
205 problems and humane capture, handling and euthanasia of nuisance  
206 wildlife and instruction in methods of nonlethal resolution of common  
207 nuisance wildlife problems, including, but not limited to, training  
208 regarding frightening devices, repellants, one-way door exclusion and  
209 other exclusion methods, habitat modification and live-trapping and  
210 releasing and other methods as the commissioner may deem  
211 appropriate; and (B) is a resident of this state or of a state that does not  
212 prohibit residents of this state from being licensed as nuisance wildlife  
213 control operators because of lack of residency.

214 (2) The licensure requirements shall apply to municipal employees  
215 who engage in the control or handling of animals, including, but not  
216 limited to, animal control officers, except that no license shall be  
217 required of such employees for the emergency control of rabies.  
218 Notwithstanding the requirements of this subsection, the  
219 commissioner shall waive the licensure fee for such employees. The

220 commissioner shall provide to such municipal employees, without  
221 charge, the training required for licensure under this subsection. A  
222 license held by a municipal employee shall be noncommercial,  
223 nontransferable and conditional upon municipal employment.

224 (3) The commissioner shall adopt regulations, in accordance with  
225 the provisions of chapter 54, which (A) define the scope and methods  
226 for controlling nuisance wildlife provided such regulations shall  
227 incorporate the recommendations of the 1993 report of the American  
228 Veterinary Medical Association panel on euthanasia and further  
229 provided such regulations may provide for the use of specific  
230 alternatives to such recommendations only in specified circumstances  
231 where use of a method of killing approved by such association would  
232 involve an imminent threat to human health or safety and only if such  
233 alternatives are designed to kill the animal as quickly and painlessly as  
234 practicable while protecting human health and safety, and (B) establish  
235 criteria and procedures for issuance of a license.

236 (4) Except as otherwise provided in regulations adopted under this  
237 section, no person licensed under this subsection may kill any animal  
238 by any method which does not conform to the recommendations of the  
239 1993 report of the American Veterinary Medical Association panel on  
240 euthanasia. No person may advertise any services relating to humane  
241 capture or relocation of wildlife unless all methods employed in such  
242 services conform to such regulations.

243 (5) Any person licensed under this subsection shall provide all  
244 clients with a written statement approved by the commissioner  
245 regarding approved lethal and nonlethal options, as provided in this  
246 subsection, which are available to the client for resolution of common  
247 nuisance problems. If a written statement cannot be delivered to the  
248 client prior to services being rendered, the licensee shall leave the  
249 statement at the job site or other location arranged with the client.

250 (6) Each person licensed under this subsection shall submit a report  
251 to the commissioner, on such date as the commissioner may



determine, that specifies the means utilized in each case of nuisance wildlife control service provided in the preceding calendar year including any method used in those cases where an animal was killed. Any information included in such report which identifies a client of such person or the client's street address may be released by the commissioner only pursuant to an investigation related to enforcement of this section.

(c) Any person who violates any provision of this section, or any condition under which a permit or license is issued, shall be fined not less than twenty-five dollars nor more than two hundred dollars or be imprisoned not more than sixty days or be both fined and imprisoned; and any permit or license issued to such person, and all other such permits or licenses issued to any other person for such property, shall be revoked by the commissioner and the right to obtain such permit or license shall remain suspended for such period of time as the commissioner determines.

(d) Any permit or license issued under this section shall not authorize the taking of deer.

Sec. 8. Section 26-48 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

The commissioner may issue permits authorizing the establishment and operation of regulated private shooting preserves when in his judgment such preserves will not conflict with any reasonable prior public interest. The fee for such permit shall be [thirty-five] fifty dollars per season. A hunting license shall not be required to hunt on such private shooting preserves. The commissioner shall govern and prescribe by regulations the size of the preserves, the methods of hunting, the species and sex of birds that may be taken, the open and closed seasons, the tagging of birds with tags furnished by the commissioner at a reasonable fee and the releasing, possession and use of legally propagated game birds thereon; and may require such reports as the commissioner deems necessary concerning the operation

284 of such preserves. Any permit issued under the provisions of this  
285 section may be revoked for a violation of any provision of this chapter  
286 or for a violation of any regulation made by the commissioner relating  
287 to private shooting preserves.

288 Sec. 9. Section 26-48a of the general statutes is repealed and the  
289 following is substituted in lieu thereof (*Effective January 1, 2003*):

290 (a) The commissioner may establish, by regulations adopted in  
291 accordance with the provisions of chapter 54, standards for the  
292 management of salmon, migratory game birds in accordance with  
293 section 26-92, pheasant and turkey which shall include provision for  
294 the issuance of permits, tags or stamps. The commissioner may charge  
295 a fee for a permit, tag or stamp as follows: Not more than [ten]  
296 fourteen dollars for turkey; not more than [two] three dollars for  
297 migratory game birds; not more than [ten] fourteen dollars for  
298 pheasant and not more than [twenty] twenty-eight dollars for salmon.  
299 No person shall be issued a permit, tag or stamp for migratory birds,  
300 pheasant or turkey without first obtaining a license to hunt and no  
301 person shall be issued a permit, tag or stamp for salmon without first  
302 obtaining a license to fish. Notwithstanding any provision of any  
303 regulation to the contrary, the commissioner may charge a fee of [ten]  
304 fourteen dollars for the issuance of a permit to hunt wild turkey on  
305 state-owned or private land during the fall season.

306 (b) Such permits, tags or stamps shall be issued to qualified  
307 applicants by any town clerk. Application for such permits, tags or  
308 stamps shall be on such form and require of the applicant such  
309 information as the commissioner may prescribe. The commissioner  
310 may adopt regulations in accordance with the provisions of chapter 54  
311 authorizing a town clerk to retain part of any fee paid for a permit, tag  
312 or stamp issued by such town clerk pursuant to this section, provided  
313 the amount retained shall not be less than fifty cents.

314 Sec. 10. Section 26-49 of the general statutes is repealed and the  
315 following is substituted in lieu thereof (*Effective January 1, 2003*):

316 (a) Any person holding a valid hunting license issued as provided  
317 for under section 26-27 is authorized to train hunting dogs in the field  
318 during any closed season, except during any period when the woods  
319 and fields are closed by proclamation issued by the commissioner  
320 because of forest fire hazard, under regulations issued by the  
321 commissioner.

322 (b) Said commissioner may authorize the establishment and  
323 operation of regulated hunting dog-training areas and may issue to  
324 any person holding a private shooting preserve permit, as provided for  
325 under section 26-48, as amended by this act, or to any established game  
326 breeder holding a game breeder's license, as provided for under  
327 section 26-40, as amended by this act, or to any person holding a  
328 commercial kennel license, as provided for under section 22-342, a  
329 permit, which shall expire on June thirtieth next after issuance and for  
330 which a fee of [ten] fourteen dollars shall be charged, authorizing the  
331 liberation of artificially propagated game birds and pigeons, legally  
332 possessed and suitably tagged with tags furnished by the  
333 commissioner, for which a reasonable fee may be charged, and the  
334 subsequent shooting of such game birds and pigeons by persons  
335 authorized by any such permittee, in connection with the training of  
336 hunting dogs only, at any time, including Sunday; provided  
337 permission to shoot on Sunday on the area specified in the permit shall  
338 have the approval of the proper authorities of the town or towns in  
339 which such dog-training area is located and shall apply only to the  
340 period from sunrise to sunset.

341 (c) A hunting license shall be required of all persons authorized by  
342 any such permittee to train any dog on any such regulated dog-  
343 training area, whether or not birds are to be shot.

344 (d) The commissioner may, by regulation, govern and prescribe the  
345 size and the location of any such dog-training area, the number of  
346 birds that may be released in ratio to the number of participants or the  
347 number of dogs being trained, the method of liberation and retrapping  
348 of pen raised birds, the species, sex and condition of such birds that

349 may be liberated and shot, the method of tagging such birds, the  
350 posting of such area and the method of reporting all such activities.

351 (e) Any such permit may be revoked at any time by the  
352 commissioner for a violation of any provision of this section or any  
353 regulation issued by the commissioner under the provisions of this  
354 section, for a period of not more than one year.

355 (f) Any person who violates any provision of this section or any  
356 regulation issued by the commissioner hereunder shall be fined not  
357 less than twenty-five nor more than one hundred dollars.

358 Sec. 11. Section 26-51 of the general statutes is repealed and the  
359 following is substituted in lieu thereof (*Effective January 1, 2003*):

360 The commissioner may, upon application and payment of a fee of  
361 [five] seven dollars, issue to any responsible person or organization a  
362 permit to hold a field dog trial subject to such regulations as he may  
363 prescribe. Any such permit may be revoked by the commissioner at  
364 any time.

365 Sec. 12. Section 26-52 of the general statutes is repealed and the  
366 following is substituted in lieu thereof (*Effective January 1, 2003*):

367 The commissioner may issue to any responsible person or  
368 authorized field trial group a permit to hold field dog trials, on land  
369 approved by the commissioner as suitable for the purpose, at any time,  
370 including Sunday, during daylight hours, at which liberated game  
371 birds, waterfowl and pigeons legally possessed may be shot. All such  
372 game birds shall, immediately after being shot, be tagged with tags  
373 furnished by the commissioner, for which a reasonable fee may be  
374 charged. Such game birds so tagged may be possessed, transported,  
375 bought and sold at any time. Tags shall not be removed from such  
376 game birds until such time as such birds are finally prepared for  
377 consumption. The commissioner may, by regulation, govern and  
378 prescribe the minimum number of such birds that shall be released, the  
379 method of liberating and the method of taking such birds, the species

380 and sex of such birds that may be shot, locations where such field dog  
381 trials may be held, periods of the year when such field dog trials may  
382 be held, the maximum number of such field dog trials that shall be  
383 sponsored or conducted by an individual or group during the period  
384 from July first to June thirtieth and the method of reporting all such  
385 activities. Notwithstanding the provision of any regulation to the  
386 contrary, the fee for a permit to hold a field dog trial on state-owned  
387 land shall be [twenty] twenty-eight dollars and the fee for a permit to  
388 hold a field dog trial on private land shall be [ten] fourteen dollars.

389 Sec. 13. Section 26-58 of the general statutes is repealed and the  
390 following is substituted in lieu thereof (*Effective January 1, 2003*):

391 (a) No person shall practice taxidermy for profit unless he has  
392 obtained a license from the commissioner. The commissioner may,  
393 upon the application of any citizen of this state, accompanied by  
394 payment of a fee of [sixty] eighty-four dollars, issue to such person a  
395 license to practice taxidermy, which license shall expire on December  
396 thirty-first next following the date of issue. Any such licensee shall  
397 permit, at any time, any law enforcement officer to examine and  
398 inspect any premises used by him for the practice of taxidermy. Such  
399 licensee may receive any bird or animal legally killed in this state or  
400 any bird or animal legally killed and imported into this state, for the  
401 purpose of tanning, curing or mounting the same, and the provisions  
402 of section 26-76 shall not apply to such person. Each licensee shall  
403 make an annual report to the commissioner, containing such  
404 information as he requires.

405 (b) Any person who violates any provision of subsection (a) of this  
406 section shall be fined not less than one dollar nor more than one  
407 hundred dollars or imprisoned not more than thirty days or be both  
408 fined and imprisoned.

409 (c) The license of any person to practice taxidermy may be revoked  
410 or suspended at any time for cause by the commissioner.

411 Sec. 14. Section 26-60 of the general statutes is repealed and the

412 following is substituted in lieu thereof (*Effective January 1, 2003*):

413       The commissioner may grant to any properly accredited person not  
414 less than eighteen years of age, upon written application, a permit to  
415 collect fish, crustaceans and wildlife and their nests and eggs, for  
416 scientific and educational purposes only, and not for sale or exchange  
417 or shipment from or removal from the state without the consent of the  
418 commissioner. The commissioner may determine the number and  
419 species of such fish, crustaceans and wildlife and their nests and eggs  
420 which may be taken and the area and method of collection of such fish,  
421 crustaceans and wildlife under any permit in any year. The permit  
422 shall be issued for a term established by the commissioner in  
423 accordance with federal regulations and shall not be transferable. The  
424 commissioner shall charge an annual fee of [ten] twenty dollars for  
425 such permit. Each person receiving a permit under the provisions of  
426 this section shall report to the commissioner on blanks furnished by  
427 the commissioner, at or before the expiration of such permit, the  
428 detailed results of the collections made thereunder. Any person  
429 violating the provisions of this chapter or of the permit held by him  
430 shall be subject to the penalties provided in section 26-64, and, upon  
431 conviction of such violation, the permit so held by him shall become  
432 void.

433       Sec. 15. Section 26-86a of the general statutes is repealed and the  
434 following is substituted in lieu thereof (*Effective January 1, 2003*):

435       (a) The commissioner shall establish by regulation adopted in  
436 accordance with the provisions of chapter 54 standards for deer  
437 management, and methods, regulated areas, bag limits, seasons and  
438 permit eligibility for hunting deer with bow and arrow, muzzleloader  
439 and shotgun, except that no such hunting shall be permitted on  
440 Sunday. No person shall hunt, pursue, wound or kill deer with a  
441 firearm without first obtaining a deer permit from the commissioner in  
442 addition to the license required by section 26-27. Application for such  
443 permit shall be made on forms furnished by the commissioner and  
444 containing such information as he may require. Such permit shall be of

445 a design prescribed by the commissioner, shall contain such  
446 information and conditions as the commissioner may require, and may  
447 be revoked for violation of any provision of this chapter or regulations  
448 adopted pursuant thereto. As used in this section, muzzleloader means  
449 a rifle or shotgun of at least forty-five caliber, incapable of firing a self-  
450 contained cartridge, which uses powder, ball and wadding loaded  
451 separately at the muzzle end and rifle means a long gun which uses  
452 centerfire ammunition and the projectile of which is six millimeters or  
453 larger in diameter. The fee for a firearms permit shall be [ten] fourteen  
454 dollars for residents of the state and [thirty] sixty-seven dollars for  
455 nonresidents. The commissioner shall issue, without fee, a private land  
456 deer permit to the owner of ten or more acres of private land and the  
457 husband or wife, parent, grandparent, sibling and any lineal  
458 descendant of such owner, provided no such owner, husband or wife,  
459 parent, grandparent, sibling or lineal descendant shall be issued more  
460 than one such permit per season. Such permit shall allow the use of a  
461 rifle, shotgun, muzzleloader or bow and arrow on such land from  
462 November first to December thirty-first, inclusive. Deer may be so  
463 hunted at such times and in such areas of such state-owned land as are  
464 designated by the Commissioner of Environmental Protection and on  
465 privately owned land with the signed consent of the landowner, on  
466 forms furnished by the department, and such signed consent shall be  
467 carried by any person when so hunting on private land. The owner of  
468 ten acres or more of private land may allow the use of a rifle to hunt  
469 deer on such land during the shotgun season. The commissioner shall  
470 determine, by regulation, the number of consent forms issued for any  
471 regulated area established by said commissioner. The commissioner  
472 shall provide for a fair and equitable random method for the selection  
473 of successful applicants who may obtain shotgun and muzzleloader  
474 permits for hunting deer on state lands. Any person whose name  
475 appears on more than one application for a shotgun permit or more  
476 than one application for a muzzleloader permit shall be disqualified  
477 from the selection process for such permit. No person shall hunt,  
478 pursue, wound or kill deer with a bow and arrow without first  
479 obtaining a bow and arrow permit pursuant to section 26-86c, as

480 amended by this act. "Bow and arrow" as used in this section and in  
481 section 26-86c, as amended by this act, means a bow capable of  
482 propelling a hunting type arrow of not less than four hundred grains,  
483 one hundred fifty yards free flight on level ground. The arrowhead  
484 shall have two or more blades and may not be less than seven-eighths  
485 of an inch at the widest point. No person shall carry firearms of any  
486 kind while hunting with a bow and arrow under said sections.

487 (b) Any person who takes a deer without a permit shall be fined not  
488 less than two hundred dollars nor more than five hundred dollars or  
489 imprisoned not less than thirty days nor more than six months or shall  
490 be both fined and imprisoned, for the first offense, and for each  
491 subsequent offense shall be fined not less than two hundred dollars  
492 nor more than one thousand dollars or imprisoned not more than one  
493 year or shall be both fined and imprisoned.

494 Sec. 16. Section 26-86c of the general statutes is repealed and the  
495 following is substituted in lieu thereof (*Effective January 1, 2003*):

496 No person may hunt deer or small game with a bow and arrow  
497 under the provisions of this chapter without a valid permit issued by  
498 the Commissioner of Environmental Protection pursuant to this  
499 section or section 26-86a, as amended by this act, for persons hunting  
500 deer with bow and arrow under private land deer permits issued free  
501 to qualifying landowners, husband or wife, parent, grandparent, lineal  
502 descendant or siblings under that section. The fee for such bow and  
503 arrow permit to hunt deer and small game shall be [twenty-two] thirty  
504 dollars for residents and [forty-four] one hundred dollars for  
505 nonresidents, or thirteen dollars for any person twelve years of age or  
506 older but under sixteen years of age. Permits to hunt with a bow and  
507 arrow under the provisions of this chapter shall be issued only to  
508 qualified applicants therefor by the Commissioner of Environmental  
509 Protection, in such form as said commissioner prescribes. Applications  
510 shall be made on forms furnished by the commissioner containing  
511 such information as he may require and all such application forms  
512 shall have printed thereon: "I declare under the penalties of false



513 statement that the statements herein made by me are true and correct."  
514 Any person who makes any material false statement on such  
515 application form shall be guilty of false statement and shall be subject  
516 to the penalties provided for false statement and said offense shall be  
517 deemed to have been committed in the town in which the applicant  
518 resides. No such application shall contain any material false statement.  
519 On and after January 1, 2002, permits to hunt with a bow and arrow  
520 under the provisions of this chapter shall be issued only to qualified  
521 applicants who have successfully completed the conservation  
522 education bow hunting course as specified in section 26-31 or an  
523 equivalent course in another state.

524 Sec. 17. Section 26-131 of the general statutes is repealed and the  
525 following is substituted in lieu thereof (*Effective January 1, 2003*):

526 Any owner of private waters who desires to remove fish from such  
527 waters as provided for in this section shall apply to the commissioner  
528 for a certificate of registration of such private waters on a form  
529 furnished by the commissioner. Such applicant shall furnish the  
530 commissioner such information, under oath, as he deems necessary to  
531 carry out the provisions of this section. There shall be a fee of [fifty]  
532 seventy dollars for the examination and permanent registration of such  
533 private waters by the commissioner. Any owner of private waters  
534 which have been so registered may take, or permit guests to take, any  
535 species of fish from such waters at any season of the year, without a  
536 license, provided such waters have not been stocked at expense to the  
537 state and provided the commissioner may make regulations governing  
538 and prescribing the methods of taking such fish and the conditions  
539 under which such fish may be removed from the premises, possessed  
540 and transported. The owner of such registered waters shall notify the  
541 commissioner in writing, within forty-eight hours, of any change in  
542 ownership or other conditions which would invalidate the registration  
543 of such water as private waters under the provisions of this section.  
544 Any person who holds such a certificate of registration and who  
545 violates any provision of this section or any regulation issued by the  
546 commissioner as herein authorized shall be fined not more than two

547 hundred dollars and the commissioner may suspend or revoke such  
548 certificate.

549 Sec. 18. Section 26-142a of the general statutes, as amended by  
550 section 1 of public act 01-150, is repealed and the following is  
551 substituted in lieu thereof (*Effective January 1, 2003*):

552 (a) For the purposes of this section, an environmental tourism cruise  
553 vessel is one which is operated for a fee for the purpose of education  
554 and observation and retention of marine and estuarine resources  
555 collected under the conditions of the permit issued under this section,  
556 except that holders of a permit issued under section 26-60, as amended  
557 by this act, shall not be required to obtain a permit under this section.  
558 No person shall operate, use or attempt to operate or use a vessel for  
559 commercial fishing or landing activities authorized by this section  
560 unless the commissioner has issued a vessel permit for such vessel to  
561 the owner of the vessel. No person shall operate, use or attempt to  
562 operate or use a vessel or commercial fishing gear for environmental  
563 tourism cruises authorized by this section unless the commissioner has  
564 issued an environmental tourism cruise permit for such vessel,  
565 including conditions for the use of such fishing gear, to the owner of  
566 the vessel. No person shall use or assist in using commercial fishing  
567 gear in any water of the state or land in this state any species taken by  
568 commercial fishing gear or for commercial purposes, regardless of  
569 where such species was taken, unless such person has been licensed by  
570 the Commissioner of Environmental Protection to use such commercial  
571 fishing gear or land such species; except that any person who holds a  
572 license to set or tend gill nets, a license to take lobsters or fish for  
573 personal use, a resident commercial fishing license, a nonresident  
574 commercial fishing license or a commercial landing license may be  
575 accompanied and assisted by persons not so licensed. A resident of a  
576 state which does not issue commercial licenses to take eels to residents  
577 of Connecticut shall not be eligible to obtain a commercial license to  
578 take eels in the waters of this state or to land eels in this state. No  
579 vessel shall be used to land any finfish, lobsters, crabs, including blue  
580 crabs and horseshoe crabs, sea scallops, squid or bait species for sale,

581 barter, exchange, consignment or transportation to any point of sale  
582 unless an operator of the vessel is licensed for such purpose, except  
583 that any person who holds a commercial fishing license issued by the  
584 commissioner to fish by the method used to take such species,  
585 regardless of where such species were taken, shall not be required to  
586 obtain a landing license. No person shall take or attempt to take  
587 lobsters or horseshoe crabs for personal use by hand or by scuba  
588 diving or skin diving unless such person has been licensed by the  
589 commissioner to take lobsters or horseshoe crabs by such methods. No  
590 person shall take or attempt to take finfish for commercial purposes by  
591 the use of hook and line, including, but not limited to, rod and reel,  
592 hand line, set line, long line, or similar device unless such person has  
593 been licensed by the commissioner to use such gear for commercial  
594 purposes, except that notwithstanding the issuance of such a license,  
595 no person shall take finfish for commercial purposes in the inland  
596 district by the use of hook and line. The use of a purse seine or similar  
597 device to take species is prohibited. The commissioner may adopt  
598 regulations, in accordance with the provisions of chapter 54, to  
599 conserve the menhaden fishery and such regulations may provide for a  
600 moratorium on the taking of menhaden for any period of time that the  
601 commissioner deems necessary. No pound net shall be used to take  
602 finfish unless such pound net is registered with the commissioner.  
603 Lobsters and blue crabs taken in pound nets shall be released  
604 unharmed. No person shall buy for resale finfish, lobsters, crabs,  
605 including blue crabs and horseshoe crabs, sea scallops or squid landed  
606 in Connecticut from any commercial fisherman unless such buyer has  
607 been licensed by the commissioner. No person shall take or assist in  
608 taking blue crabs for commercial purposes except by scoop net, hand  
609 line or manually operated and personally attended devices approved  
610 by the commissioner and unless such person has been licensed by the  
611 commissioner. No person shall operate a charter boat, party boat or  
612 head boat for the purpose of fishing unless such boat has been  
613 registered for such purpose with the commissioner. The owner,  
614 operator or captain of any such boat may sell the boat's or crew's share  
615 of any catch if such sale is not prohibited on the basis of species, size or

616 closed season. For the purposes of this chapter, a charter boat, party  
617 boat or head boat is a vessel carrying one or more crew members and  
618 which is operated for a fee for the purpose of transporting and  
619 providing a fishing platform for sport fishermen in the marine district.  
620 The commissioner may by regulations adopted in accordance with the  
621 provisions of chapter 54 exempt certain minnow seines, cast nets,  
622 scoop nets, traps, eel pots, seines less than thirty feet in length or any  
623 similar device used to take bait species and other species for personal  
624 use under a sport fishing license in the inland district and without a  
625 license in the marine district. No vessel used to take bait species may  
626 employ a fish pump. Persons licensed, registered or issued a permit to  
627 engage in activities authorized by this subsection shall carry on their  
628 persons or in the vessel being used to engage in such activity the  
629 permit, license or registration covering such activity.

630 (b) The commissioner shall issue fishing licenses, vessel permits and  
631 registrations to qualified applicants upon the submission of an  
632 application, on forms provided by the commissioner, containing such  
633 information as prescribed by the commissioner, and upon the payment  
634 of such license, registration or permit fees as are required by  
635 subsection (c) of this section, except that a nonresident whose permit,  
636 license or registration in the state of residence has been voided or  
637 suspended shall have the Connecticut permit, license or registration  
638 voided or suspended during the suspension of such out-of-state  
639 permit, license or registration or until another permit, license or  
640 registration is obtained in the state of residence. The commissioner  
641 shall not issue any fishing license or registration or vessel permit to  
642 any applicant who has not met the reporting requirements of section  
643 26-157b. No vessel permit shall be issued to any person for any vessel  
644 during the time period that such vessel permit has been revoked  
645 pursuant to subsection (f) of this section. Any fishing license or  
646 registration or vessel permit issued by the commissioner shall be  
647 nontransferable and shall expire on the thirty-first day of December  
648 next following its issuance.

649 (c) The fee for the following fishing licenses and registrations and

650 for a commercial fishing vessel permit shall be: (1) For a license to take  
651 blue crabs for commercial purposes, [fifty] seventy-five dollars; (2) for  
652 a license to take lobsters for personal use, but not for sale, (A) by the  
653 use of not more than ten lobster pots, traps or similar devices provided  
654 finfish may be taken incidentally during such use if taken in  
655 accordance with recreational fishery creel limits adopted under section  
656 26-159a and if taken for personal use and not for sale, or (B) by skin  
657 diving, scuba diving or by hand, [fifty] sixty dollars; (3) for a license to  
658 take lobsters or crabs, other than blue crabs for personal use or for sale,  
659 by the use of more than ten lobster pots or similar devices, one  
660 hundred fifty dollars for residents of this state and two hundred  
661 twenty-five dollars for nonresidents, provided any such license issued  
662 to a resident of a state that does not issue commercial licenses  
663 conferring the same authority to take lobsters to residents of  
664 Connecticut shall be limited to the taking of crabs, other than blue  
665 crabs, and a nonresident shall not be issued such license if the laws of  
666 the nonresident's state concerning the taking of lobster are less  
667 restrictive than regulations adopted pursuant to section 26-157c; (4) for  
668 a license to take lobsters, crabs other than blue crabs, squid, sea  
669 scallops and finfish, for personal use or for sale, by the use of more  
670 than ten lobster pots or similar devices, or by the use of any otter trawl,  
671 balloon trawl, beam trawl, sea scallop dredge or similar device, [one  
672 hundred fifty] two hundred twenty-five dollars for residents of this  
673 state and [two hundred twenty-five] one thousand two hundred fifty  
674 dollars for nonresidents, provided any such license issued to residents  
675 of states which do not issue commercial licenses conferring the same  
676 authority to take lobsters to residents of Connecticut shall be limited to  
677 the taking of crabs other than blue crabs, squid, sea scallops and finfish  
678 by the use of any otter trawl, balloon trawl, beam trawl, sea scallop  
679 dredge or similar device, and a nonresident shall not be issued such  
680 license if the laws of the state of residency concerning the taking of  
681 lobster are less restrictive than regulations adopted under the  
682 authority of section 26-157c; (5) for a license to set, tend or assist in  
683 setting or tending gill nets, seines, scap or scoop nets used to take  
684 shad, one hundred dollars; (6) for the registration of each pound net or

685 similar device used to take finfish, [one hundred] two hundred  
686 twenty-five dollars, provided persons setting, operating, tending or  
687 assisting in setting, operating or tending such pound nets shall not be  
688 required to be licensed; (7) for a license to set or tend gill nets, to tend  
689 or assist in setting or tending seines, traps, fish pots, cast nets, fykes,  
690 scaps, scoops, eel pots or similar devices to take finfish other than shad  
691 or bait species for commercial purposes, or, in any waters seaward of  
692 the inland district demarcation line, to take finfish other than shad or  
693 bait species for commercial purposes by hook and line, or to take  
694 horseshoe crabs by hand, one hundred fifty dollars for residents of this  
695 state and two hundred dollars for nonresidents, and any such license  
696 obtained for the taking of any fish species for commercial purposes by  
697 hook and line, in excess of any creel limit adopted under the authority  
698 of section 26-159a, [one] three hundred dollars for residents of this  
699 state and five hundred dollars for nonresidents, provided for the  
700 taking for bait of horseshoe crabs only, this license may be issued  
701 without regard to the limitations in section 26-142b to any holder of a  
702 Department of Agriculture conch license who held such license  
703 between January 1, 1995, and July 1, 2000, inclusive; (8) for a license to  
704 set, tend or assist in setting, operating or tending seines, traps, scaps,  
705 scoops, weirs or similar devices to take bait species in the inland  
706 district for commercial purposes, [twenty] fifty dollars; (9) for a license  
707 to set, tend or assist in setting, operating or tending seines, traps, scaps,  
708 scoops or similar devices to take bait species in the marine district for  
709 commercial purposes, [twenty] fifty dollars; (10) for a license to buy  
710 finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea  
711 scallops, squid or bait species for resale from any commercial  
712 fisherman licensed to take or land such species for commercial  
713 purposes, regardless of where taken, [twenty-five] two hundred  
714 dollars; (11) for the registration of any party boat, head boat or charter  
715 boat used for fishing, [twenty-five] two hundred fifty dollars; (12) for a  
716 license to land finfish, lobsters, crabs, including blue crabs and  
717 horseshoe crabs, sea scallops, squid or bait species, [two hundred  
718 twenty-five] four hundred dollars; (13) for a commercial fishing vessel  
719 permit, fifty dollars; (14) for a license to take menhaden from marine

720 waters for personal use, but not for sale, by the use of a single gill net  
721 not more than sixty feet in length, fifty dollars; (15) for an  
722 environmental tourism cruise vessel permit, fifty dollars, provided the  
723 landing of any species regulated under Department of Environmental  
724 Protection regulations is prohibited.

725 (d) The commissioner may determine for all waters of the state,  
726 including the inland and marine districts, areas within which  
727 commercial fishing gear may be set or used, the specifications and  
728 dimensions of such commercial fishing gear, including materials,  
729 length, depth, width, and size of mesh, the length of set lines or long  
730 lines, the number and size of hooks, and, for all commercial fishing  
731 and landing activities by persons issued either a commercial fishing  
732 vessel permit or a license by the commissioner, regardless where such  
733 activities take place, the species which may be taken, possessed or  
734 landed, the seasons in which species may be taken, possessed or  
735 landed, the number and size of finfish, squid and crabs, including blue  
736 crabs, which may be taken, possessed or landed and the rules  
737 regulating the use of commercial fishing gear, including hours or days  
738 of use, and the number of licenses, permits or registrations which may  
739 be issued. The commissioner may also order the emergency closure of  
740 any fishery if such closure is necessary to conform to regulations  
741 adopted under the Fishery Conservation and Management Act of 1976  
742 (Public Law 94-265, as amended) or by other regional fisheries  
743 management authorities.

744 (e) The commissioner may, during and for any reasonable period of  
745 time prior to and after the spawning period of any inland or marine  
746 game fish or food fish, close any portion of any inland or marine water  
747 where any such fish congregate prior to or during the spawning  
748 season.

749 (f) The commissioner shall revoke any commercial fishing vessel  
750 permit issued under authority of subsection (b) upon conviction or  
751 upon the forfeiture of any bond taken upon any complaint, for the  
752 following offenses: (1) Possession of ten or more egg-bearing lobsters

753 or lobsters from which the eggs have been removed; (2) possession of  
754 either: (A) Ten or more lobsters less than the minimum length if such  
755 lobsters constitute more than ten per cent of the lobsters on board; or  
756 (B) fifty lobsters which are less than the minimum length, whichever is  
757 the lesser amount; (3) possession of either: (A) Twenty or more finfish  
758 of at least one species which are less than the minimum length if such  
759 finfish constitute more than ten per cent of the finfish on board for that  
760 species; or (B) one hundred finfish of at least one species which are less  
761 than the minimum length, whichever is the lesser amount; (4) for a  
762 second offense within seven hundred and thirty days in violation of  
763 regulations relating to bottom trawl nets adopted under section 26-  
764 142a; (5) for a second offense within seven hundred and thirty days for  
765 possession of finfish or lobsters more than ten per cent in excess of  
766 possession limits specified in regulations adopted under authority of  
767 section 26-157c or 26-159a. Said revocation period shall be for one  
768 hundred and eighty days for a first offense, one year for a second  
769 offense, two years for a third offense, and shall be permanent for a  
770 fourth offense. The provisions of this subsection are in addition to and  
771 in no way derogate from any other enforcement provision or penalty  
772 contained in any other statute.

773 (g) Any person who violates any provision of this part relating to  
774 commercial fishing vessel permits shall be fined no more than five  
775 hundred dollars or imprisoned not more than thirty days or both, and  
776 each violation of any provision of this section relating to commercial  
777 fishing vessel permits shall constitute a separate offense.

778 (h) Notwithstanding the requirements of subsection (a) of this  
779 section, no commercial fishing vessel permit shall be required for any  
780 vessel used for the operation of an environmental tourism cruise, a  
781 charter, party or head boat or for a vessel used for taking of lobsters for  
782 personal use only, or a vessel used for taking inland or marine bait,  
783 blue crabs, or American shad, or any vessel used in support of a vessel  
784 issued a commercial fishing vessel permit and engaged in the  
785 operation of a registered marine pound net.



786 Sec. 19. Subsection (g) of section 26-61 of the general statutes is  
 787 repealed and the following is substituted in lieu thereof (*Effective*  
 788 *January 1, 2003*):

789 (g) Any person whose privilege to hunt, trap or guide has been  
 790 suspended or revoked in any jurisdiction within the United States or  
 791 Canada shall be prohibited from purchasing a hunting, fishing or  
 792 trapping license in this state during such period of revocation or  
 793 suspension provided the offense for which such privilege was  
 794 suspended or revoked is substantially similar to an offense described  
 795 in sections 26-62, 26-74, 26-82 to 26-90, inclusive, 53-204 and 53-205 or  
 796 the regulations adopted under section 26-66 regarding trapping,  
 797 hunting before or after legal hours, hunting within five hundred feet of  
 798 occupied buildings or discharging firearms toward people or across  
 799 roadways. [, or the regulations adopted under section 26-31b regarding  
 800 guide services.] If such person has previously purchased a license to  
 801 hunt, fish or trap in this state, the commissioner, after notice and  
 802 hearing in accordance with the provisions of chapter 54, may suspend  
 803 such license for the same period as determined in the other jurisdiction  
 804 or may revoke such license if such privilege was revoked in the other  
 805 jurisdiction. Such person shall surrender such license to the  
 806 commissioner or the authorized agent of the commissioner. No person  
 807 shall possess a license which has been suspended or revoked under  
 808 this section.

809 Sec. 20. (*Effective January 1, 2003*) Section 26-31b of the general  
 810 statutes is repealed.

This act shall take effect as follows:	
Section 1	<i>January 1, 2003</i>
Sec. 2	<i>January 1, 2003</i>
Sec. 3	<i>January 1, 2003</i>
Sec. 4	<i>January 1, 2003</i>
Sec. 5	<i>January 1, 2003</i>
Sec. 6	<i>January 1, 2003</i>
Sec. 7	<i>January 1, 2003</i>

Sec. 8	<i>January 1, 2003</i>
Sec. 9	<i>January 1, 2003</i>
Sec. 10	<i>January 1, 2003</i>
Sec. 11	<i>January 1, 2003</i>
Sec. 12	<i>January 1, 2003</i>
Sec. 13	<i>January 1, 2003</i>
Sec. 14	<i>January 1, 2003</i>
Sec. 15	<i>January 1, 2003</i>
Sec. 16	<i>January 1, 2003</i>
Sec. 17	<i>January 1, 2003</i>
Sec. 18	<i>January 1, 2003</i>
Sec. 19	<i>January 1, 2003</i>
Sec. 20	<i>January 1, 2003</i>

**FIN**      *Joint Favorable Subst.*